

Third Circuit Court

South Dakota Unified Judicial System

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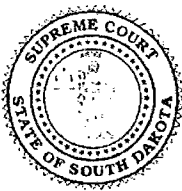
2010 Rates & Information for Court Appointed Counsel

Friday, January 01, 2010

Each calendar year the Supreme Court reviews the statewide hourly rate for court appointed counsel for indigent defendants. The rate is usually adjusted to approximately reflect the annual cost of living allowance, if any, granted to state employees by the Legislature each year. For 2008 the Supreme Court set the hourly rate at \$80. For 2009 the rate was increased to \$82 per hour. **Effective January 1, 2010, the rate will remain unchanged at \$82 per hour as no cost of living increase was granted by the Legislature in the 2009 session. The mileage rate also remains \$1.00 per mile.** Court appointed attorneys should bill at the rates in effect at the time the work was performed.

If you have any questions, please contact Court Administration at 688-4837.

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State of South Dakota Unified Judicial System

Office of the State Court Administrator

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500 East Capitol
Pierre, SD 57501-5070

January 20, 2010

Mr. Thomas C. Barnett, Jr.
The State Bar of South Dakota
222 East Capitol Avenue
Pierre, South Dakota 57501-2596

RE: 2010 Court-Appointed Attorney Fees & Mileage

Dear Mr. Barnett:

Please publish the following announcement in the next issue of the State Bar Newsletter:

Court-appointed attorney fees for 2010 remain at \$82.00 per hour pursuant to UJS policy which provides that these fees increase in an amount equal to any cost of living increase approved for state employees by the legislature. Mileage for court-appointed attorneys will be paid at the rate of \$1.00 per mile.

If you have any additional questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Patricia Duggan".

Patricia Duggan
State Court Administrator

The mission of the Office of the State Court Administrator is to provide quality court-related support services to the Unified Judicial System, other government entities, and the public.



First Judicial Circuit Court

Arthur L. Rusch
Presiding Circuit Judge

P.O. Box 63
Yankton, SD 57078
Phone: 605-668-3095
FAX: 605-668-3093

Kim L. Allison
Court Administrator

Memorandum

To: 1st Circuit County Commissioners and Attorneys
From: Kim Allison, 1st Circuit Court Administrator
Date: 12/06/07
Re: 2008 Court-Appointed Attorney Fees

Please be advised that the Court-appointed attorney fees for 2008, effective January 1, 2008, will be \$ 80.00 per hour pursuant to court rule, and the reimbursement rate for mileage has increased to \$1.00 per mile. For your information I have attached the rules which govern all cases where an attorney is appointed to represent an indigent per SDCL 23A-40 Rule 44 but please note that the rules have not been updated to reflect the new rates. Also attached to this email is the newest UJS Policy pertaining to court-appointed attorney fees. If you have any questions please contact me.

RULES FOR COMPENSATION OF COURT APPOINTED COUNSEL IN THE CIRCUIT COURTS OF SOUTH DAKOTA.

SCOPE

These rules apply to all cases where an attorney is appointed to represent an indigent including criminal proceedings, juvenile delinquency proceedings, children in need of supervision proceedings, dependent and neglected children proceedings, termination of parental rights proceedings, Habeas Corpus, and other special proceedings.

DUTIES OF APPOINTED COUNSEL

A. Counsel who participate in this plan do so in fulfillment of their professional responsibility as officers of the Court. The limited amount of compensation accruing in no respect diminishes such responsibility. See: Rules 6.1 and 6.2 of the South Dakota Rules of Professional Conduct found in the Appendix to SDCL Chapter 16-18.

AURORA, BON HOMME, BRULE, BUFFALO, CHARLES MIX, CLAY, DAVISON,
DOUGLAS, HANSON, HUTCHINSON, McCOOK, TURNER, UNION, & YANKTON COUNTIES